## IN THE SENATE OF THE UNITED STATES.

February 3, 1858.—Ordered to be printed.

Mr. Polk made the following

## REPORT.

[To accompany Bill S. 123.]

The Committee on Claims, to whom was referred the petition of Henry Hubbard, report:

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On a reference of the case to the War Department, the committee is informed that "the amount claimed by Mr. Hubbard for services (\$672-75) is shown by his accounts to be due to him;" and that "the claim cannot be paid unless provided for by Congress," "the appropriation being exhausted." This seems to settle the justice of the claim, so far as the principal is concerned.

In regard to the interest, it is believed to have been settled by Congress, in its action on similar claims, that in cases where the amount due is clearly ascertained and admitted by the government, and payment is delayed for want of appropriation, it should be allowed.

It appears from a statement of Colonel Abert, chief of the Bureau of Topographical Engineers, dated June 11, 1856, that this claim was then admitted to be due, and the committee have agreed that interest should be allowed from that date, and they report a bill accordingly.

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